

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN

BEFORE THE ARCHITECT SECTION OF THE EXAMINING BOARD OF ARCHITECTS, LANDSCAPE
ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS

IN THE MATTER OF THE	:	
DISCIPLINARY PROCEEDINGS	:	
AGAINST	:	FINAL DECISION AND ORDER
	:	
MARTIN PATRICK CHOREN,	:	Case # LS0904222ARC
RESPONDENT.	:	

Division of Enforcement Case # 06 ARC 003

The parties to this action for the purposes of Wis. Stats. § 227.53 are:

Martin Patrick Choren
12721 North Maplecrest Lane
Mequon, WI 53092

Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

Architect Section
Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors
Department of Regulation and Licensing
1400 East Washington Avenue
P.O. Box 8935
Madison, WI 53708-8935

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final decision of this matter, subject to the approval of Architect Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors (Section). The Section has reviewed the attached Stipulation and considers it acceptable. Accordingly, the Section in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Martin Patrick Choren, (DOB 06/20/1952) is duly registered as an architect in the state of Wisconsin (license # 4667-05). This license was first granted on April 27, 1979, and is current through July 31, 2010.
2. Respondent's most recent address on file with the Department of Regulation and Licensing (Department) is 12721 North Maplecrest Lane, Mequon, WI 53092
3. Respondent's Architect registration was expired from August 1, 1994, through April 17, 2006.
4. Respondent contends that he did not become aware that his Architect credential was expired until early April 2006 when he contacted South Carolina about licensing there and was told that his Wisconsin registration had lapsed. Respondent then checked the Department of Regulation and Licensing website and saw that his registration was listed as "expired." On or about April 6, 2006, Respondent submitted an Application for Credential Reinstatement along with payment for the \$60.00 renewal fee and \$25.00 late fee.
5. Respondent's application for credential reinstatement was referred to the Division of Enforcement to address the fact that Respondent had engaged in the practice of architecture since the expiration of his Architect registration on July 31, 1994.
6. Respondent's only explanation for the lapse in registration is that it was an oversight.
7. The Department's practice and procedures relating to credential renewal is that a renewal notice is mailed to the licensee prior to the credential expiration at the last known address on file with the Department. If a licensee fails to renew his

or her credential, the Department does not submit any further renewal notices to the licensee.

8. Respondent acknowledges that it is his responsibility, and his alone, to keep his registration current under Wis. Stat. § 440.08(1).

9. From July 31, 1994 until early April 2006, when Respondent discovered that his Architect registration was in expired status, Respondent held himself out as an architect in Wisconsin and engaged in the practice of architecture in Wisconsin.

CONCLUSIONS OF LAW

1. The State of Wisconsin Architect [Section](#) of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveyors has jurisdiction to act in this matter and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 443.02(1) - (3), Wis. Admin. Code § A-E 2.05 (2) (b) and Wis. Stat. § 227.44(5).

2. Respondent's practice of architecture while his registration has been expired is a violation of Wis. Stat. § 443.02(2), which prohibits a person from practicing architecture in Wisconsin unless the person is duly registered.

3. By holding himself out as an architect while his registration has been expired, Respondent has violated Wis. Stat. § 443.02(3) which prohibits a person from offering to practice architecture, advertising as an architect, or using any title or description tending to convey the impression that he or she is an architect unless the person is duly registered.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. That Respondent Martin Patrick Choren, registration number 4667-05, be and hereby is **REPRIMANDED**.

2. That Respondent shall, within thirty (30) days from the date of this Order pay the missed renewal fees for 1994, 1996, 1998, 2000, 2002, and 2004, totaling **THREE HUNDRED FOUR DOLLARS (\$304.00)**, and calculated as follows:

1994	\$45 renewal fee +
1996	\$46 renewal fee +
1998	\$44 renewal fee +
2000	\$49 renewal fee +
2002	\$60 renewal fee +
2004	\$60 renewal fee =
TOTAL	\$304.00

3. That Respondent shall, within thirty (30) days from the date of this Order, pay **COSTS** of this proceeding in the amount of **THREE HUNDRED FIFTY DOLLARS (\$350.00)**.

4. Payment of the back renewal fees and costs shall be made payable to the Wisconsin Department of Regulation and Licensing, and mailed to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P. O. Box 8935
Madison, WI 53708-8935
Telephone (608) 267-3817
FAX (608) 266-2264

5. **Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondent's license. The AUTHORITY in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondent fails to submit timely any payment of the forfeiture as set forth above, or fails to pay costs as ordered, or fails to comply with the ordered continuing education, Respondent's license (#4667-05) SHALL BE SUSPENDED, without further notice or hearing until Respondent has complied with the terms of this Order.**

This Order is effective on the date of its signing

By: Walter L. Wilson
A Member of the Section

4/22/09
Date

BEFORE THE ARCHITECTS SECTION OF THE EXAMINING BOARD OF ARCHITECTS, LANDSCAPE ARCHITECTS, PROFESSIONAL ENGINEERS, DESIGNERS AND LAND SURVEYORS

IN THE MATTER OF	:	
THE DISCIPLINARY PROCEEDINGS	:	
AGAINST	:	
	:	STIPULATION
MARTIN PATRICK CHOREN,	:	Case LS 09 _____ ARC
RESPONDENT.	:	

Division of Enforcement Case #06 ARC 003

It is hereby stipulated between Martin Patrick Choren and Claudia Berry Miran, for the Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Enforcement (case # 06 ARC 003). Respondent consents to resolution of this investigation by stipulation and without the issuance of a formal complaint.
2. Respondent understands that by signing this Stipulation he voluntarily and knowingly waives his rights, including:
 - The right to a hearing on the allegations against him, at which time the state has the burden of proving those allegations by a preponderance of the evidence.
 - The right to confront and cross examine the witnesses against him.
 - The right to call witnesses on his behalf and to compel their attendance by subpoena.
 - The right to testify himself.
 - The right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision.
 - The right to petition for rehearing.
 - All other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code and any other provisions of state or federal law.
3. Respondent has been provided with an opportunity to obtain the advice of legal counsel prior to signing this Stipulation.
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Architects Section of the Examining Board of Architects, Landscape Architects, Professional Engineers, Designers and Land Surveys (Section). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Section's order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Section, the parties shall not be bound by the contents of this Stipulation, and the matter shall be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Section, the parties agree not to contend that the Section has been prejudiced or biased in any manner by consideration of this attempted resolution.
6. The parties to the Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Section ever assigned as an advisor in this investigation may appear before the Section in open or closed session without the presence of the Respondent or his attorney, for purposes of speaking in support of this agreement and answering questions that any member of the Section may have in connection with the Section's deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Section should accept the Stipulation and issue the

attached Final Decision and Order.

7. Respondent is informed that should the Section adopt this Stipulation, the Section's Final Decision and Order is a public record and will be published in accordance with standard Department procedures.
8. The Division of Enforcement joins Respondent in recommending the Section adopt this Stipulation and issue the attached Final Decision and Order

Martin Patrick Choren, Respondent
12721 North Maplecrest Land
Mequon, WI 53092
License # 4667-05

Date

Claudia Berry Miran, Attorney
State Bar # 1015184
Division of Enforcement
Department of Regulation and Licensing
1400 East Washington Avenue
P. O. Box 8935
Madison, WI 53708-8935

Date